

JUL 15 2005

10333 Richmond, Suite 1100
Houston, TX 77042
Phone: 713-934-7000
Fax: 713-934-7011

**Williams, Morgan &
Amerson, P.C.**

Fax

To:	Examiner Thomas Sweet Group Art Unit 3738	From:	Raymund F. Eich, Ph.D. Reg. No. 42,508
Fax:	1-703-872-9306	Phone:	713-934-4065
No. of Pages:	8	Date:	July 15, 2005
Re:	Serial No. 09/746,712	File:	2009.015300
*w/ coversheet			

ORIGINAL: Will follow XX Will not follow

•Comments:

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Williams, Morgan & Amerson which may be confidential and/or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

JOSEPH ANDREW CHINN
R. MICHAEL CASANOVA

Serial No.: 09/746,712

Filed: December 21, 2000

For: ANTIBIOTIC TREATED IMPLANTABLE
MEDICAL DEVICES

Confirmation No.: 3630

Group Art Unit: 3738

Examiner: Thomas Sweet

Attorney Docket: 2009.015300/RFE
(CMI-397)

CUSTOMER NO. 23720

RESPONSE TO OFFICE ACTION
DATED APRIL 25, 2005

MAIL STOP AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE
37 C.F.R. § 1.6(d)

I hereby certify that this paper is being facsimile transmitted to MAIL STOP AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, facsimile number 1-703-872-9306, on this 15th day of July 2005.


Cynde Meinhardt

Sir:

This paper is submitted in response to the Office Action dated April 25, 2005, for which the three-month date for response is July 25, 2005.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Director is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/2009.015300RE.

An amendment to the claims follows at pp. 2-5 and remarks follow at pp. 6-7.
Reconsideration of the application is respectfully requested.